

## **EXPORT OF SMALL TOOLS AND HAND TOOLS (QUALITY CONTROL AND INSPECTION) RULES, 1967**

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## **EXPORT OF SMALL TOOLS AND HAND TOOLS (QUALITY CONTROL AND INSPECTION) RULES, 1967**

S.O. 3412, dated 20th September, 1967- In exercise of the powers conferred by Sec. 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules, namely:-

### **1. Short title and commencement :-**

(1) These rules may be called the Export of Small Tools and Hand Tools (Quality Control and Inspection) Rules, 1967.

(2) They shall come into force on 13th October, 1967.

### **2. Definitions :-**

In these rules, unless the context otherwise requires,-

(a) "Agency" means any one of the Export Inspection Agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "Small tools" shall mean any of the small tools used by machinists, while doing machining work and "hand tools" shall mean any of the hand tools used by fitters or carpenters or others doing hand work.

### **3. Quality control :-**

(1) The quality of the small tools and hand tools intended for export shall be ensured by effecting the following controls, at different stages of manufacture together with the levels of control as given in Annexure hereto namely;-

(i) Bought out materials and components control.- (a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of materials or components to be used and the detailed dimensions thereof with tolerances.

(b) The accepted consignments shall be either accompanied by a supplier's test or inspection certificate corroborating the requirements of the purchase specification, in which case occasional checks (e.g. once in each quarter of the year for the same supplier of the same material) shall be conducted by the purchaser for a particular supplier to verify the correctness of the aforesaid test or inspection certificates, or the purchased materials or components shall be regularly inspected or tested either in a laboratory within the factory or in some other laboratory or test house.

(c) The sampling for inspection or test to be carried out shall be based on a recorded investigation.

(d) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials or components and in disposal of rejected materials or components.

(e) Adequate records in respect of the above mentioned controls shall be regularly and systematically maintained.

(ii) Process control.- (a) Detailed process specifications shall be laid down by the manufacturer for different processes of manufacture.

(b) Equipments, instrumentation and facilities shall be adequate to control the processes as laid down in the process specification.

(c) Adequate records shall be maintained to ensure the possibility of verifying the controls exercised during the process of manufacture.

(in) Product control.- (a) The manufacturer shall either have his own adequate testing facilities or shall have access to such testing facilities existing elsewhere to test the product as per the specification recognised under Sec. 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) Sampling (wherever required) for testing shall be based on a recorded investigation.

(c) Adequate records in respect of tests carried out shall be regularly and systematically maintained.

(iv) Preservation control.- (a) A detailed specification shall be laid down by the manufacturer to safeguard the product from adverse effects of weather conditions.

(b) The product shall be well preserved both during storage and during transit. (v) Packing control.-A packing specification shall be laid down with a view to satisfying the controls mentioned in the Annexure hereto annexed for packing the aforesaid product and shall be rigidly implemented.

(2) Inspection.-The inspection of small tools and hand tools intended for export shall be carried out with a view to seeing that the above mentioned controls have been exercised at the relevant levels satisfactorily and that the small tools and hand tools conform to the standard specifications applicable to it.

#### **4. Procedure of inspection :-**

(1) The exporter shall give intimation in writing to any one of the agencies recognised under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and submit alongwith such intimation a declaration that the consignment of small tools and hand tools have been or are being manufactured by exercising quality control measures as per controls referred to under rule 3 above, and that the consignment conforms to the requirements of the specifications recognised for the purpose.

(2) The exporter shall also furnish to the Agency the identification marks applied on the consignment.

(3) Every intimation and declaration under sub-rule (1) shall reach the office of the Agency not less than seven days prior to the despatch of the consignment from the manufacturer's premises or exporter's premises.

(4) On receipt of the intimation and declaration under sub-rules (1) and (2), the agency:-

(a) in the case of an exporter who is himself the manufacturer on satisfying itself that during the process of manufacture he had

exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Exporter Inspection Council in this regard to manufacture the product according to the standard specifications applicable to it, shall within three days, issue a certificate declaring the consignment of small tools and hand tools as export-worthy;

(b) in the case of an exporter who is not himself the manufacturer on satisfying itself that during the process of manufacture the manufacturer had exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Export Inspection Council in this regard to manufacture the product according to the standard specifications applicable to it, shall within three days of carrying out the inspection, issue a certificate declaring the consignment of small tools and hand tools as export-worthy:

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Provided that where the agency is not so satisfied, it shall within the said period of three days refuse to issue such certificate and communicate such refusal to the exporter alongwith the reasons therefor.

1. Inserted by S.O. 448, dated 17/2/1973.

**5. Affixation of recognised mark and procedure thereof :-**

The provisions of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955 and Indian Standards Institution (Certification Marks) Regulations, 1965, shall, so far as may be, apply in relation to the procedure of affixation of the recognised mark or seal on small tools and hand tools prior to export and tools so marked shall not be subjected to any inspection under rule 4 of these rules.

**6. Place of inspection :-**

Every inspection under these rules shall be carried out at the premises of the manufacturer of exporter at the port of shipment.

**7. Inspection fee :-**

Subject to a minimum of rupees ten, a fee at the rate of twenty paise for every hundred rupees of f.o.b. value of each consignment shall be paid by the exporter to the Agency as inspection fee.

**8. Appeal :-**

(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (4) of rule, 4, may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons, appointed for the purpose by the Central Government.

(2) At least two-thirds of the total membership of the panel of experts shall consist of non-officials.

(3) The quorum for the panel shall be three.

(4) The decision of the panel on such appeal shall be final.

(5) The appeal shall be disposed of within 15 days of its receipt.]